

AMENDED

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC
WATERS OF THE STATE OF NEVADADate of filing in State Engineer's Office FEB 05 2001Returned to applicant for correction MAY 01 2001Corrected application filed JUN 29 2001Map filed JUN 29 2001

The applicant **U. S. Bureau of Land Management** hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

1. The source of the proposed appropriation is **Underwood Stream, Underwood Canyon**

2. The amount of water applied for is **0.01** second-feet

(a) If stored in reservoir give number of acre-feet

3. The water to be used for **Wildlife**

4. If use is for:

(a) Irrigation, state number of acres to be irrigated

(b) Stockwater, state number and kinds of animals to be watered

(c) Other use (describe fully under No. 12. "Remarks") **Instream Flow**

(d) Power:

(1) Horsepower developed

(2) Point of return of water to stream

5. The water is to be diverted from its source at the following point **NE¼ SW¼ of Section 17, T22N, R48E, MDM at a point from which the North 1/16 center corner of Section 12, T22N, R47E, MDM bears N 57° 56' W, a distance of 11,630 feet.**

6. Place of Use **See attachment A**

7. Use will begin about **October 2** and end about **March 31** of each year.

8. Description of proposed works **in stream flow, see item 12**

9. Estimated cost of works **None**

10. Estimated time required to construct works **Not applicable**

11. Estimated time required to complete the application of water to beneficial use **1 year from date of submission**

67191

12. Remarks: Underwood Canyon in the Simpson Park Wilderness Study Area (WSA). BLM is seeking in situ water rights for recreation and wildlife purposes to meet the 1986 Shoshone-Eureka Resource Management Plan objectives for wilderness designation, wildlife habitat management, riparian and aquatic habitat and recreation. Recreation and wildlife are beneficial uses allowed under NRS 533.030.

By s/Gerald M. Smith (Gerald M Smith)
50 Bastian Road
Battle Mountain, NV 89820

Compared ef/dl

Protested 6/19/01 by Lander County;
Pro. Overruled 10/12/06 See Ruling #5671

Attachment A

The place of use to be within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, and the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of section 17, and the SW $\frac{1}{4}$ SW $\frac{1}{4}$, and the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of section 8, and the NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, and the upstream (above the POD of Certificate 4613) portion of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of section 7, all in T22N, 48E, MDB&M.